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Conyers Rejects the Unconstitutional, Anti-Gay, Marriage Protection Amendment

Congressman John Conyers, Jr. (D-MI), ranking member of the House Judiciary Committee, gave the following statement during the floor debate on the Family Marriage Amendment:

I rise in strong opposition to this amendment, which has received no committee consideration and is **divisive, unnecessary, constitutionally extreme, immoral, and far-reaching.**

At the outset, this amendment should not receive floor consideration because it has not been subject to any hearings in the committee of jurisdiction. A proposal of this magnitude should be subject to a public debate before being brought up in the full House.

The amendment is divisive because it is an obvious ploy by the Majority to play upon the worst fears of our citizens deep in an election year. We know the amendment is going nowhere - it already has been defeated in the Senate by a vote of 49 to 48, well short of the 67 it needed to pass. The only point of the amendment is to energize the Majority's political base less than four months before the election.

The amendment is unnecessary because our country has a long tradition of leaving questions related to marriage to the states. For more than 200 years the states have dealt with issues such as marriage age limits, miscegenation, and divorce. The fact that officials in some states have sanctioned same sex marriages within their borders will do nothing to prevent the other states from dealing with same sex relationships as they deem fit.

The amendment is constitutionally extreme. Our Constitution has been amended a scant twenty-seven times to expand and preserve our right to free speech, to assemble, to vote, and to be free of discrimination. They ensure the integrity and continuity of our government in times of tragedy. In short, our predecessors in this body amended our Constitution only to eradicate discrimination and to unite the nation.

If this amendment passes, we will rewrite discrimination into the Constitution for the first time since 1868, when the Fourteenth Amendment eliminated the Constitution's reference to the "whole number of free persons." We should not repeat history by enshrining discrimination and denying rights to an entire group of Americans.

This amendment also is immoral. It is morally wrong to deny rights to a group of individuals, and few rights are more fundamental than the right to marry. Moreover, it is wrong for elected officials to use their power to discriminate against one segment of society simply because they can and they may gain political advantage from it.

The amendment is far-reaching. It not only would ban same sex marriages but also would deprive same sex couples and their families of fundamental protections such as hospital visitation, inheritance rights, and health care benefits.

It also could weaken federal and state domestic violence laws. The Ohio Constitution was amended in 2004 to prohibit recognition of legal status for unmarried persons. Ohio courts have held that this prohibition overrides state domestic violence protections for unmarried couples, meaning batterers can go free if they do not fit within the conventional definition of marriage. A federal marriage amendment would go further and could negate the domestic violence laws of every single state in the nation. Make no mistake about it, this amendment would harm real children and real families.

This amendment is opposed by a wide spectrum of public interest groups, including the ACLU, the AFL-CIO, the American Jewish Committee, the Human Rights Campaign, the NAACP, the National Council of La Raza, the National Urban League, Planned Parenthood, and countless religious organizations. They are all telling us to leave the Constitution alone.

Our charter of freedom should not be desecrated in this manner, and I urge a "No" vote. We should reject this amendment and move on to do the real work that the American people sent us here to do.

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